Atty. Docket No. 166.0001   <u>PATENT</u>
Appl. No. 09/957,459

<u>Amendments to the Claims:</u>

This listing of claims will replace all prior versions and listings of claims in the application:

1.   (currently amended) In a computing device, a method for archiving files comprising:

detecting an instruction ~~from a resident program~~ <u>by an operating system</u> to perform an operation on an operating file; and

capturing the operating file temporally proximate to the operation being performed on the operating file, responsive to the detection of the instruction.

2.   (original) The method of claim 1 wherein capturing the operating file includes creating an archive file and storing the archive file in a storage location.

3.   (original) The method of claim 2 wherein the archive file includes a copy of the operating file.

4.   (original) The method of claim 2 wherein the archive file includes portions of the operating file.

5.   (currently amended) The method of claim 4 wherein the archive file includes pointers directed to one or more storage locations, wherein each of the one or more ~~second~~ storage locations contains at least a portion of the operating file.

6.   (original) The method of claim 2 wherein capturing the file includes saving the archive file prior to the operation being performed on the operating file.

7.   (previously presented) The method of claim 2 wherein capturing the file includes saving the archive file subsequent to detecting the instruction to perform the operation.

2

PATENT

8.   (original) The method of claim 2 wherein capturing the file includes saving the archive file subsequent to the operation being performed on the operating file.

9.   (original) The method of claim 2 wherein the storage location includes a buffer.

10.   (previously presented) The method of claim 2 wherein the storage location includes a storage device.

11.   (original) The method of claim 10 wherein the storage device includes at least one of a group comprising a magnetic storage medium, an optical storage medium, and a solid-state storage device.

12.   (original) The method of claim 10 wherein the storage location includes a directory disposed on said storage device.

13.   (original) The method of claim 1 further comprising determining whether the operating file is intended to be captured prior to said capturing step.

14.   (original) The method of claim 1 further comprising determining whether the operating file has previously been captured prior to capturing the file.

15.   (currently amended) The method of claim 1 ~~wherein~~ further comprising determining whether the operation causes a change in the operating file.

16.   (original) An article of manufacture comprising a computer usable medium having computer readable program code for performing the method of claim 1.

17.   (original) A data transmission signal having computer readable program code for performing the method of claim 1.

3

Atty. Docket No. 166.0001
Appl. No. 09/957,459

<u>PATENT</u>

18. (original) An article of manufacture comprising a processor configured to perform the method of claim 1.

19. (cancelled)

20. (cancelled)

21. (cancelled)

22. (cancelled)

23. (cancelled)

24. (cancelled)

25. (cancelled)

26. (cancelled)

27. (cancelled)

28. (cancelled)

29. (cancelled)

30. (cancelled)

31. (cancelled)

32. (cancelled)

4

PATENT

33.   (cancelled)

34.   (previously presented) In a computing device, a method for archiving files comprising:

detecting an instruction from a resident program to perform an operation on an operating file;

creating an archive file from the operating file and storing the archive file in a first storage location temporally proximate to the operation being performed on the operating file and responsive to detecting the instruction;

searching the first storage location for the archive file responsive to the occurrence of a first event; and

moving the archive file from the first storage location to the second storage location responsive to a second event.

35.   (original) The method of claim 34 wherein storing the archive file includes storing the archive file prior to the operation being performed on the operating file.

36.   (currently amended) The method of claim 34 wherein storing the archive file includes storing the archive file prior to the operation being performed on the operating file and subsequent to the operation being performed on the ~~archive~~ operating file.

37.   (original) The method of claim 34 wherein storing the archive file includes storing the archive file subsequent to the operation being ~~preformed~~ performed on the operating file.

38.   (original) The method of claim 34 wherein the first storage location includes a buffer.

39.   (original) The method of claim 34 wherein the first event includes a message from a timer.

5

PATENT

40.   (original) The method of claim 34 wherein the first event includes a message from a program resident on the computing device.

41.   (original) The method of claim 34 wherein the second event includes a message from a timer.

42.   (original) The method of claim 34 wherein the second event includes a message indicating when the second storage location is available.

43.   (original) The method of claim 34 wherein the second storage location is an output buffer.

44.   (currently amended) The method of claim 34 further comprising:
after ~~detecting~~ storing the files, updating a database to indicate that the ~~detected~~ stored files are located in the first storage location;
    determining a destination for each of the ~~detected~~ stored files;
    moving ~~detected~~ the stored files from the first storage location to an intermediate storage location;
    updating the database to indicate that the ~~detected~~ stored files are located in the intermediate storage location; and
    after moving the stored files to the second storage location, updating the database to indicate that the stored files are located in the second storage location.

45.   (original) The method of claim 44 wherein the second storage location includes a personal attached storage device.

46.   (original) The method of claim 44 wherein the second storage location includes a network attached storage device.

6

<u>PATENT</u>

47.   (original) The method of claim 44 wherein the second storage location includes a peer-to-peer storage device.

48.   (original) The method of claim 44 wherein the second storage location includes an Internet storage area network.

49.   (original) An article of manufacture comprising a computer usable medium having computer readable program code for performing the method of claim 44.

50.   (original) A data transmission signal having computer readable program code for performing the method of claim 44.

51.   (original) An article of manufacture comprising a processor configured to perform the method of claim 44.

52.   (previously presented) The method of claim 2, wherein said capturing step occurs only if a match to a defined condition has been determined.

53.   (previously presented) The method of claim 52, wherein said defined condition includes at least one of determining whether the operating file has previously been archived and determining whether the operating file has been selected for protection.

54.   (currently amended) In a computing device, a method for archiving files, comprising:

detecting an instruction ~~from a resident program~~ <u>by an operating system</u> to perform an operation on an operating file; and

capturing the operating file just before or just after the operation being performed on the operating file, responsive to the detection of the instruction.

PATENT

55.   (previously presented) The method of claim 54, wherein said capturing occurs an instant before or an instant after the operation is performed on the operating file.

56.   (previously presented) The method of claim 54, wherein the operating file is a system file.

57.   (previously presented) The method of claim 54, wherein the operating file is a user file.

58.   (new) The method of claim 34, wherein said first event is different from said second event.

59.   (new) In a computing device, a method for archiving files comprising:

detecting an instruction from a resident program to perform an operation on an operating file;

creating an archive file from the operating file and moving the archive file to a first storage device temporally proximate to the operation being performed on the operating file, responsive to detecting the instruction; and

storing the archive file in a second storage device.

8